

HCS HB 2227 -- PROTECTION OF CHILDREN

SPONSOR: Kelly (141)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Children and Families by a vote of 9 to 0. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 9 to 0.

The following is a summary of the House Committee Substitute for HB 2227.

MONEYS HELD BY CHILDREN'S DIVISION FOR A CHILD (Section 210.560)

This bill specifies that in the case of benefits administered by the Railroad Retirement Board, the Social Security Administration, or the Veterans Administration, the Children's Division is required to determine whether a child in custody of the Division is receiving or otherwise eligible to receive such benefits within 60 days after placement into custody.

The Division is to apply for benefits on behalf of the child, if the child is deemed to be eligible, and if benefits are already being received before placement into the Division's custody or the Division applies for benefits on behalf of the child, the Division is responsible for identifying a representative payee and shall apply to become such if no other suitable candidate is available.

Any moneys received by the Division and in the account of a child are prohibited from being expended by the Division for certain services or care. However, this bill provides that the Division may use the benefits administered by the Railroad Retirement Board, the Social Security Administration, or the Veterans Administration for the child's unmet needs, as are defined in the bill, beyond what the Division is required or agrees to pay.

PLACEMENT OF A CHILD (Section 211.221)

Currently, when placing a child in the custody of an individual or a private agency or institution, the court must, whenever practicable, select either a person, or an agency or institution governed by persons of the same religious faith as that of the parents of such child, or in case of a difference in the religious faith of the parents, then of the religious faith of the child or if the religious faith of the child is not ascertainable, then of the faith of either of the parents.

This bill requires the Children's Division, within the Department of Social Services, or any child-placing agency contracting with

the State to provide foster care services to follow the same procedure.

ABUSE OR NEGLECT OF A CHILD (Section 568.060 and 578.421)

As specified in this bill, a person does not commit the offense of abuse or neglect of a child by virtue of the sole fact that the person allows the child to engage in independent activities without adult supervision, and that the person is a parent or guardian to the child, provided that:

- (1) Independent activities are appropriate based on the child's age, maturity, and physical and mental abilities; and
- (2) The lack of adult supervision does not constitute conduct that is so grossly negligent as to endanger the child's health or safety.

As defined in the bill, "independent activities" include traveling to or from school or nearby locations, either by bicycle or on foot; playing outdoors; or remaining at home for a reasonable period of time without adult supervision.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that foster children should be entitled to the moneys held in their name, and that if benefits are owed to that child, those benefits should be protected for the child's future success. Additionally, foster youth have no obligations to pay for their care due to their vulnerable position, and the State is placing that responsibility unduly onto children. Those who are aging out of foster care would be better positioned for independence.

Testifying in person for the bill were Representative Kelly; Kids Win Missouri; Catalyst; Foster Adopt Connect; and the Missouri Coalition for Children.

OPPONENTS: There was no testimony in opposition voiced in person to the committee.

Testifying against the bill was Kerrah Williams.

OTHERS: Others testifying on the bill say that the Department of Social Services is exploring avenues to set up a fund to determine

whether the State Treasurer could create for these children accounts similar to 529 plans.

Testifying in person on the bill were Taylor Jones, Department of Social Services; and Sharie Hahn, Department of Social Services.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.